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Reports of UNDP, UNFPA and UNOPS Ethics Offices

Activities of the UNOPS Ethics Office in 2014
Report of the Ethics Office

Summary

The present report has been provided to the Executive Director of the United Nations Office for Project Services, pursuant to UNOPS organizational directive number 15, paragraph 43. The report is submitted to the Executive Board of UNDP, UNFPA and UNOPS at its annual session 2015, pursuant to Executive Board decision 2010/17.

The Ethics Panel of the United Nations has reviewed the report, in accordance with section 5.4 of the document entitled "United Nations system-wide application of ethics: separately administered organs and programmes" (ST/SGB/2007/11, as amended).

The report covers the period from 1 January to 31 December 2014.

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I. Introduction

1. The present report, the sixth since the establishment of the Ethics Office as a separate entity in UNOPS at the end of January 2009, is submitted annually to the Executive Director of UNOPS, and the Executive Board of UNDP, UNFPA and UNOPS.

2. In accordance with the Ethics Office mandate to promote the highest standards of integrity and to foster a culture of ethics, transparency and accountability within UNOPS, the present report provides an overview and assessment of the work of the Ethics Office in relation to its areas of responsibility over the reporting period, 1 January to 31 December 2014.

II. Background and general information

3. The Ethics Office was established as an independent office within the United Nations Office for Project Services pursuant to the Secretary-General's bulletin (ST/SGB/2007/11, as amended).

4. The main responsibilities of the Ethics Office include the following:

(a) Administering the UNOPS financial disclosure programme;

(b) Undertaking the responsibilities assigned to it under the UNOPS policy for the protection of staff against retaliation for reporting misconduct and for cooperating with duly authorized audits or investigations;

(c) Developing standards, training and education on ethics issues, in coordination with the human resources practice group, and other entities as appropriate, and conducting ethics outreach;

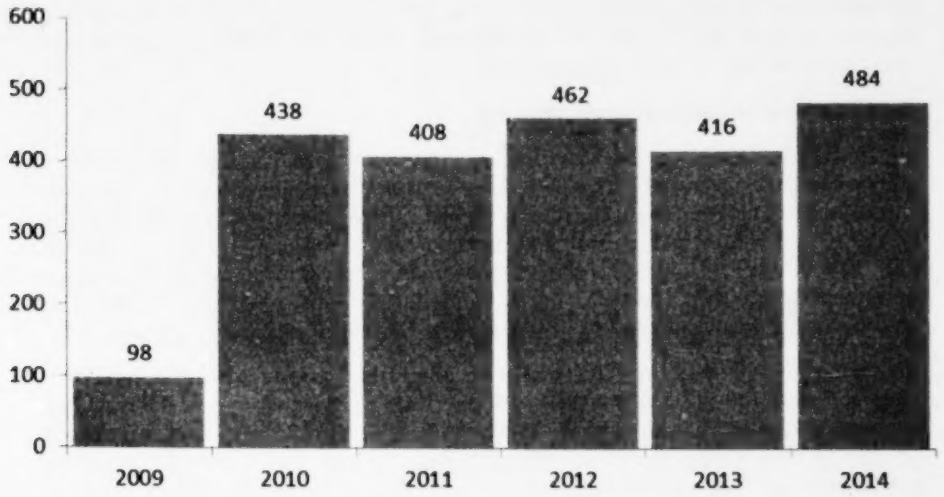
(d) Providing confidential advice and guidance to staff on ethical issues (such as conflicts of interest), including administering an ethics helpline; and

(e) Supporting ethics standard-setting and policy coherence within the United Nations system.

5. In accordance with its core mandates, the Ethics Office assists the Executive Director in ensuring that all staff conduct themselves with integrity and professionalism and uphold the Charter of the United Nations. The office seeks to nurture and sustain an organizational culture committed to ethics and accountability, with the aim of enhancing both the credibility and the effectiveness of the United Nations.

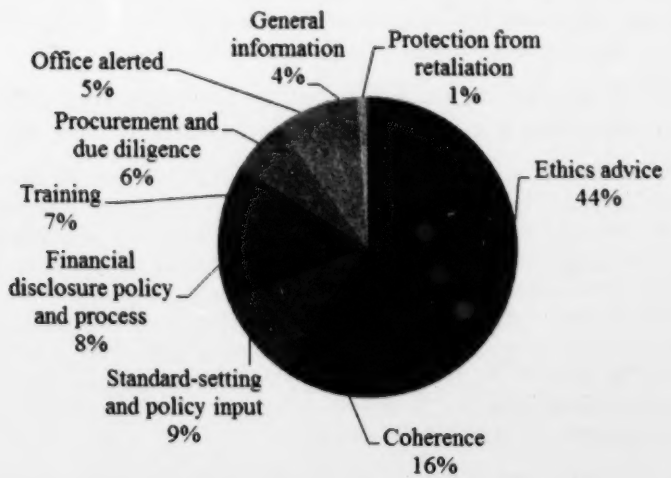
6. Reflecting its role as a consultative, impartial and service-oriented resource within UNOPS, the Ethics Office handled a total of 484 matters from 1 January 2014 to 31 December 2014. This represented an increase in the number of requests for services received by the office as compared with the preceding reporting period. Figure 1 depicts the comparison of the respective figures for the period 2009-2014. The low figure for 2009 may be explained by the fact that the office was new as an independent entity, and that administration of the financial disclosure programme had not yet been included in the terms of reference of the Ethics Office.

Figure 1. Comparison of requests for services by reporting cycle, 2009-2014



7. Requests for services received during 2014 covered a broad range of ethics matters, including the permissibility of outside activities; acceptance of gifts; policy advice; standard-setting support; and protection against retaliation for reporting misconduct and for cooperating with duly authorized audits or investigations. Figure 2 below provides a breakdown of requests by category.

Figure 2. Volume of requests for services by category, 2014



III. Activities of the Ethics Office

8. The areas of responsibility of the Ethics Office collectively support its strategic objective of promoting an ethical organizational culture that enhances organizational integrity, accountability, efficiency and productivity.

A. Financial disclosure programme

9. The Ethics Office is mandated to administer the UNOPS financial disclosure programme as a means of identifying, managing and mitigating personal conflict-of-interest risks. The overall goal of this programme is to strengthen public trust in the integrity of the organization. Pursuant to the Secretary-General's bulletin (ST/SGB/2007/11, as amended), UNOPS organizational directive number 23 and advice from the Ethics Officer, personnel identified as falling within the categories listed in organizational directive number 23 were required to file annual disclosure statements.

10. Of the 691 active personnel required to file a financial disclosure statement, all did so. This represents 100 per cent compliance. There were 68 situations where the disclosed information required further scrutiny. Those cases in which conflict of interest appeared possible involved the spouse of UNOPS personnel in situations, for example, where the personnel in question and her or his spouse both worked for UNOPS; where a spouse worked for a government, vendor or partner of the organization; or where a spouse worked in the United Nations system. The next group of cases, at 23 per cent, directly involved personnel in situations where personnel had leadership roles in non-United Nations entities; owned stock or had accounts with vendors (usually banks); had tenants who worked for the organization, a partner or government agency; or the personnel in question previously worked for a company that had a relationship with UNOPS.

11. No actual conflicts of interest were found.

12. The process of reviewing financial disclosure statements includes a verification procedure. The procedure requires that selected participants provide third-party documentation to prove the completeness and accuracy of the information disclosed in their statements. Thirty-nine personnel (5 per cent) were required to provide third-party documentation, and all did so. No discrepancies were found.

B. Protection of staff against retaliation for reporting misconduct and for cooperating with duly authorized audits or investigations

13. Pursuant to the Secretary-General's bulletin (ST/SGB/2007/11, as amended), the Ethics Office is mandated to implement the United Nations policy on protection against retaliation for reporting misconduct and for cooperating with duly authorized audits or investigations. In accordance with UNOPS organizational directive number 35, the Ethics Office receives complaints of retaliation and conducts preliminary reviews to determine whether a complainant engaged in protected activity and, if so, whether the protected activity was a factor contributing to the alleged retaliation. On the basis of its preliminary review, should the office determine that there is a prima facie case of retaliation, the matter is referred to the Internal Audit and Investigations Group, or to an alternative investigating mechanism, if required, for formal investigation.

14. Pending the completion of a referred investigation, the Ethics Office may recommend to the Executive Director that interim protection measures be implemented to safeguard the interests of the complainant. The office will make a final recommendation to the Executive Director for his determination subsequent to receipt and assessment of the completed investigation report and evidentiary materials.

15. The Ethics Office gave advice on three occasions in relation to protection from retaliation. One formal complaint was filed in 2014, but was withdrawn later in the year by the complainant.

16. Effective implementation of the protection against retaliation policy remains an essential means of promoting an organizational culture that encourages staff to speak out against behaviour that places the reputation and standing of UNOPS at risk. In addition to the thorough and timely review of received retaliation complaint cases, the Ethics Office will continue to articulate the purpose, scope and availability of the protection against retaliation policy to staff. The Ethics Office considers raising awareness of the policy as one means of preventing retaliation.

C. Outreach, training and education

17. UNOPS provides online ethics training via the online learning programme Integrity Awareness Initiative, which is directed at personnel at all levels and focuses on core values and standards of integrity to be observed in the workplace.

18. In consultation with the Ethics Office, the Internal Audit and Investigations Group developed a standards of conduct training course. As a complement to its internal audits, these half-day training sessions were conducted during a number of its 2014 audit missions to field offices.

19. The Ethics Officer receives the agendas of senior management meetings, namely, those of the corporate operations group and the management practice group, and decides whether to attend as an observer. In 2014, he attended most meetings. He also attended the annual global management meeting at headquarters. The Ethics Officer continues to support Internal Audit and Investigations Group and Sustainable Procurement Practice Group initiatives in anti-corruption and identification of risk in procurement. Of particular note was a survey on integrity, ethics and anti-fraud, which, in 2014, was much more detailed than previous surveys. The information obtained from that survey will be fully analysed in 2015 and used to better target ethics services, both in subject areas, and geographically.

D. Advice and guidance

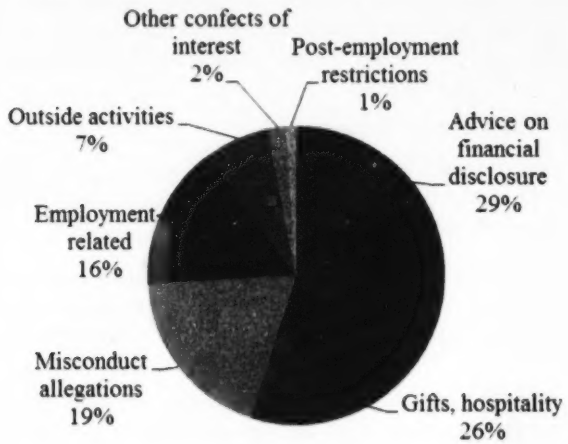
20. The ethics advisory function is a key element in United Nations efforts to protect and bolster its reputation for integrity. Pursuant to its advisory mandate, the Ethics Office provides confidential ethics advice and guidance to staff, management, departments and offices in order to ensure that decision-making is consistent with the values, principles and rules of the United Nations. This function serves to prevent, mitigate and resolve actual or perceived conflicts of interest, and in so doing enhances the integrity of UNOPS and its personnel.

21. Demonstrating the significance of the advisory function of the Ethics Office, 44 per cent of all requests for services during the reporting period pertained to ethics advice (see figure 2). During the period under review, the office received 214 requests for services on a wide range of ethics-related concerns. Figure 3, below, shows the categories into which requests for advice are classified: outside activities (7 per cent); allegations of misconduct (19 per cent); other conflicts of interest (2 per cent); financial disclosure (29 per cent); employment-related concerns (16 per cent); post-employment restrictions (1 per cent); and gifts and hospitality (26 per cent).

22. The advice and guidance provided by the Ethics Office during the reporting period included clarification or interpretation of UNOPS regulations, rules and standards concerning prohibited or restricted activities, and, of course, ethical dilemmas. Through inter-organizational consultation and coordination with, inter alios, General Counsel and

the members of the People and Change Practice Group, the Sustainable Procurement Practice Group and the Internal Audit and Investigations Group, the Ethics Office sought to ensure consistent approaches to the interpretation and implementation of organizational standards.

Figure 3. Requests for ethics advice, 2014



E. Assistance to other organizations

23. In accordance with its mandate to provide services to other United Nations organizations, UNOPS provided an ethics function in the World Tourism Organization, and continued to assist the International Maritime Organization in setting up its financial disclosure programme.

IV. The Ethics Panel of the United Nations and the Ethics Network

24. The United Nations Ethics Committee, later renamed the Ethics Panel of the United Nations, was established by Secretary-General's bulletin (ST/SGB/2007/11, as amended), which entered into force on 1 December 2007. The panel is mandated to establish a unified set of ethical standards and policies for the United Nations secretariat and for the separately administered organs and programmes, and to consult on certain important and particularly complex cases and issues having United Nations system-wide implications. In 2014 the UNOPS Ethics Officer participated in all eleven of the panel's meetings.

25. In accordance with the Secretary-General's ongoing promotion of system-wide collaboration on ethics-related issues, including with United Nations funds, programmes and specialized agencies, and other interested entities, the United Nations Ethics Network was established on 21 June 2010. The Ethics Network was founded within the framework of the Chief Executives Board for Coordination in order to promote system-wide collaboration and coherence in the area of ethics and integrity, with the participation of ethics officers and related professionals from the United Nations secretariat, United Nations funds, programmes and specialized agencies, and selected international financial institutions. The Ethics Network, subsequently renamed the Ethics Network of Multilateral Organizations, held its sixth meeting in Copenhagen in July 2014. The UNOPS Ethics Officer organized the event in his capacity as vice-chair of the network for 2013-2014.

26. Full information on the work of the Ethics Panel of the United Nations and the Ethics Network is provided in the report of the Secretary-General on the Activities of the Ethics Office (A/69/332).